

Exhibit E

1 MARQUIS AURBACH COFFING
2 CRAIG R. ANDERSON, ESQ.
3 Nevada Bar No. 6882
4 JOSHUA L. BENSON, ESQ.
5 Nevada Bar No. 10514
6 10001 Park Run Drive
7 Las Vegas, Nevada 89145
8 Telephone: (702) 382-0711
9 Facsimile: (702) 382-5816
10 canderson@maclaw.com
11 jbenson@maclaw.com

12 Attorneys for Defendants LVMPD, Eager & Frederick

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11 UNITED STATES DISTRICT COURT
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13 STATE OF NEVADA

14 JOYCE ZAIC,

15 Case No: 2:10-cv-01814-PMP-LRL

16 Plaintiff,

17 vs.

18 LAS VEGAS METROPOLITAN POLICE
19 DEPARTMENT, a political subdivision of the
20 STATE OF NEVADA; DANIELLE PIEPER,
21 individually; B. EAGER, P#6189, individually
22 and in his official capacity as a police officer; T.
23 FREDERICK, P#9793, individually and in his
24 official capacity as a police officer; SUNRISE
25 MOUNTAIN VIEW HOSPITAL, INC.; NEAL,
26 a security guard for MOUNTAIN VIEW
27 HOSPITAL; CHRISTOPHER SIMMS, security
28 guard for MOUNTAIN VIEW HOSPITAL;
JOHN DOES I through X and ROE
INSTITUTIONS I through X, inclusive,

Defendants.

22 **DEFENDANTS LAS VEGAS METROPOLITAN POLICE DEPARTMENT, B. EAGER**
23 **AND T. FREDERICK'S REQUESTS FOR ADMISSIONS TO DEFENDANT DANIELLE**
24 **PIEPER**

25 Pursuant to FRCP 36 Defendants, by and through their attorney of record, Craig R.
26 Anderson, Esq. and Joshua L. Benson, Esq., of the law firm of Marquis Aurbach Coffing, hereby
27 request that Defendant Danielle Pieper respond in writing and serve upon the undersigned
28 counsel for Defendants, within thirty (30) days of the date of service thereof, her responses to
this Request for Admissions set forth below.

MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

1 **ADMISSIONS**

2 **REQUEST NO. 1:**

3 Admit that the Voluntary Statement attached hereto as Exhibit 1 is a true, correct and
4 authentic copy of the Voluntary Statement regarding the incident described in Plaintiff's
5 Complaint.

6 **REQUEST NO. 2:**

7 Admit that signed the document attached hereto as Exhibit 1.

8 DATED this 16th day of March, 2011.

9
10 **MARQUIS AURBACH COFFING**

11 By _____
12

Craig R. Anderson, Esq.
Nevada Bar No. 6882
Joshua L. Benson, Esq.
Nevada Bar No. 10514
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Defendants LVMPD, Eager &
Frederick

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MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of March, 2011, I served a copy of the foregoing
DEFENDANTS LAS VEGAS METROPOLITAN POLICE DEPARTMENT, B. EAGER AND
T. FREDERICK'S REQUESTS FOR ADMISSIONS TO DEFENDANT DANIELLE
PIEPER upon each of the parties by depositing a copy of the same in a sealed envelope in the
United States Mail, Las Vegas, Nevada, First-Class Postage fully prepaid, and addressed to:

Cal J. Potter, III, Esq.
John C. Funk, Esq.
Potter Law Offices
1125 Shadow Lane
Las Vegas, Nevada 89102
Attorney for Plaintiff

Raymond R. Gates, Esq.
Anthony D. Lauria, Esq.
1755 Creekside Oaks Drive, Suite 240
Sacramento, CA 95833
Attorneys for Defendant Pieper

Michael E. Prangle, Esq.
Hall, Prangle & Schoonveld, LLC
777 North Rainbow Blvd., Ste. 225
Las Vegas, Nevada 89107
Attorneys for Defendant Sunrise Hospital

7 and that there is a regular communication by mail between the place of mailing and the place(s)
8 so addressed.

An employee of Marquis Aurbach Coffing

EXHIBIT 1

Page 1 of 2LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENTEvent #
080321-2810

| THIS PORTION TO BE COMPLETED BY OFFICER | | | | | | | |
|---|--|--|--|---------------------------------|---|--|--|
| Specific Crime <i>BATTERY</i> | | | | Date Occurred <i>3-21-08</i> | Time Occurred <i>2020</i> | | |
| Location of Occurrence <i>3100 N TENEYTA LV NV 89129</i> | | | | Sector/Beat <i>V6</i> | <input checked="" type="checkbox"/> City <input type="checkbox"/> County | | |

| | | | | | | | | | | |
|---|-----------------|----------------------|----------------------|---|----------------------|-----------------------------------|------------------------------|---|--------------------------------------|--|
| Your Name (Last / First / Middle) <i>X Pieper / Danielle / K</i> | | | | | | | | Date of Birth <i>5/16/72</i> | Social Security # | |
| Race <i>Asian</i> | Sex <i>F</i> | Height <i>5'3</i> | Weight <i>120</i> | Hair <i>Brown</i> | Eyes <i>Brown</i> | Work Schdl. (Hours) <i>M-F</i> | (Days Off) <i>Sat/Sun</i> | Business / School | | |
| Residence Address: (Number & Street) <i>200 LEWIS Ave</i> | | | | Bldg./Apt. # <i>100</i> | City <i>LV</i> | State <i>NV</i> | Zip Code <i>89101</i> | Res. Phone: <i>(702) 267-2675</i> | Bus. Phone: <i>(702) 267-2675</i> | |
| Bus. (Local) Address: (Number & Street) <i>200 LEWIS Ave</i> | | | | Bldg./Apt. # <i>100</i> | City <i>LV</i> | State <i>NV</i> | Zip Code <i>89101</i> | Occupation | Depart Date (if visitor) | |
| Best place to contact you during the day <i>work</i> | | | | Best time to contact you during the day <i>ANY</i> | | | | <input checked="" type="checkbox"/> Can You Identify <input type="checkbox"/> Yes the Suspect? <input type="checkbox"/> No | | |

X DETAILS On March 21, 2008 at approximately 8:15 pm, I went up my fiancee, Steve Zaic, to Mt. View Hospital to visit his father Frank Zaic in the ICU. I walked into his room and Steve's sister, Joyce Zaic, yelled out, "who the fuck is that, Steve?" Steve said, "Joyce, calm down that's my fiancee Dani." Joyce then said, "She needs to get the fuck out of the room, I only want family in here." Steve said, "Calm down, Joyce". Joyce then came up to me as I was standing on the side of Frank's bed. She was about 2 ft. from my face and said, "get the fuck out of the room, you don't belong here". I then looked at her. She again said, "get the fuck out of the room, you don't belong here." I continued to look at her, then she said, "Get that →

I HAVE READ THIS STATEMENT AND I AFFIRM TO THE TRUTH AND ACCURACY OF THE FACTS CONTAINED HEREIN. THIS STATEMENT WAS COMPLETED AT (LOCATION) *3100 N TENEYTA*
ON THE *21* DAY OF *MARCH* AT *930* (AM / PM) *2008*.

Witness/Officer: *Danielle K. Pieper*
(SIGNATURE)Witness/Officer: *B. ERICKSON*
(PRINTED) P# *60189*
LVMPD 85 (REV. 5-00)

X *J. C. C.*
SIGNATURE OF PERSON GIVING STATEMENT

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT CONTINUATIONPage 2 of 2Event #: 080321-2810

"fucker smile off your face": the whole time.

She is ~~doing~~ yelling at me. She's pointing her finger in my face. Then she comes right up to my face and draws back her breath and I see spit in her mouth. She then is about to spit on me and I turn my head. Then she pushes me on the left shoulder and I step back and then she says, "get the fuck out... you are not family". Then I turn away from her and I feel a blow to the ~~left~~ side right side of my neck, and I realized that she hit me. Steve then comes around the bed and gets in between myself and Joyce. I am cornered b/w Steve's father's bed and Steve in front of me. Joyce is screaming, "get her the fuck out of the room." The whole time she is yelling she is trying to get to me by lunging and pushing past Steve. She looked like a wild dog that had rabies. She's pointing her finger and yelling, "get the fuck out" ... She continues to lunge ~~at~~ at me and Steve pushes her back and she falls to the ground and ~~as~~ yells. The nursing staff comes over and we waited for Metro.

Witness:

Witness: BESTHAR 6189
LVMPD 88 (REV. 3-01)

SIGNATURE OF PERSON GIVING STATEMENT


Danielle Pieper

PRINT NAME OF PERSON GIVING STATEMENT

1 Raymond R. Gates, Nevada Bar No. 5320
2 Anthony D. Lauria, Nevada Bar No. 4114
LAURIA TOKUNAGA
3 GATES & LINN, LLP
1755 Creekside Oaks Drive, Suite 240
Sacramento, CA 95833
4 Tel: (916) 492-2000
Fax: (916) 492-2500
5

6 Attorneys for Defendant DANIELLE K. PIEPER

7 UNITED STATES DISTRICT COURT

8 STATE OF NEVADA

9 * * * * *

10 JOYCE ZAIC,

) CASE NO. 2:10-cv-01814-PMP-LRL

11 Plaintiff,

12 vs.

13 LAS VEGAS METROPOLITAN POLICE
14 DEPARTMENT, a political subdivision of the
15 STATE OF NEVADA; DANIELLE PIEPER,
16 individually and in her official capacity as a
17 deputy district attorney; B. EAGER, P#6189,
18 individually and in his official capacity as a
19 police officer; T. FREDERICK, P#9793,
police officer; SUNRISE MOUNTAIN VIEW
HOSPITAL, INC.; NEAL, security guard for
MOUNTAIN VIEW HOSPITAL; JOHN DOES I
through X and ROE CORPORATIONS I through
X, inclusive,, et al.,

20 Defendants.

21
22 DEFENDANT DANIELLE PIEPER'S RESPONSE TO DEFENDANTS

23 LAS VEGAS METROPOLITAN POLICE DEPARTMENT, B. EAGER AND

24 T. FREDERICK'S REQUESTS FOR ADMISSIONS

25 COMES NOW Defendant, DANIELLE PIEPER and hereby responds to
26 Defendants, Las Vegas Metropolitan Police Department, B. Eager and T. Frederick's,
27 Request for Admissions as follows:

28 **REQUEST NO. 1:** Admit that the Voluntary Statement attached hereto as Exhibit 1 is a
29 true, correct and authentic copy of the Voluntary Statement regarding the incident
30 described in Plaintiff's Complaint.

| | |
|----------------|-------------|
| Route to: | CRA - TCB |
| File No.: | 51106 - 451 |
| Amicus: | |
| Calendared by: | |

RESPONSE TO REQUEST NO. 1: Admit.

REQUEST NO. 2: Admit that (sic) signed the document attached hereto as Exhibit 1.

RESPONSE TO REQUEST NO. 2: Admit.

Dated: April 8, 2011

LAURIA TOKUNAGA
GATES & LINN, LLP

By Paul L. Anderson #83246
RAYMOND R. GATES
Nevada Bar No. 5320

Reply To: 1755 Creekside Oaks Drive, Suite 240
Sacramento, CA 95833
(916) 492-2000
Attorneys for Defendant DANIELLE K.
PIEPER

Nevada Office:
601 South Seventh Street
Las Vegas, NV 89101

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I certify that the forgoing DEFENDANT DANIELLE
PIEPER'S RESPONSE TO DEFENDANTS LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, B. EAGER AND T. FREDERICK'S REQUESTS FOR ADMISSIONS was
served by mailing a copy thereof, first class mail, postage prepaid, on the 8th day of
April, 2011, addressed as follows:

John C. Funk, Esq.
Potter Law Offices
1125 Shadow Lane
Las Vegas, NV 89102

Casey W. Tyler, Esq.
Hall Prangle & Schoonveld, LLC
777 N. Rainbow Blvd., Ste. 225
Las Vegas, NV 89101

Joshua Benson, Esq.
Marquis and Aurbach
10001 Park Run Drive
Las Vegas, NV 89145
T: (702) 382-0711; F: (702) 856-8912

Cathleen L. Hare
an employee of Lauria Tokunaga
Gates & Linn, LLP
1169/6164

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